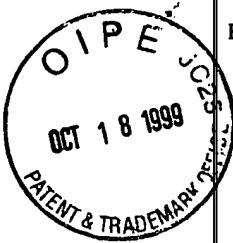


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
 Assistant Commissioner for Patents,  
 Box AF, Washington, D.C. 20231,  
 on October 13, 1999

By Malinda Gregory  
 TOWNSEND and TOWNSEND and CREW LLP



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PATENT

Attorney Docket No. 16930-0009-21

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Richard J. Gregory *et al.*

Application No.: 08/958,570

Filed: October 28, 1997

For: RECOMBINANT ADENOVIRAL  
 VECTOR AND METHODS OF USE

Examiner: David Guzo  
 Art Unit: 1636

**NOTICE OF APPEAL**

**EXPEDITED PROCEDURE -**  
**EXAMINING GROUP 1636**

Box AF  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the Examiner's decision dated April 13, 1999 rejecting claims 16-24 and 26-41..

A Petition to Extend Time to respond for three months is included herewith.

Please charge the filing fee of \$300.00 for this Appeal to Deposit Account No. 20-1430 of the Undersigned. Please charge any additional fees due in connection with this paper, or credit any overpayment, to this Deposit Account. This Notice is submitted in triplicate.

Respectfully submitted,

Timothy L. Smith, Ph.D.  
 Reg. No. 35,367

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